

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
Civil Action No. 5:09-CT-3142-FL

LASCELLES SOMIE and ORAL	)	
MALCOLM,	)	
	)	
Plaintiffs,	)	<b>GEO DEFENDANTS' MOTION TO</b>
	)	<b>DISMISS</b>
v.	)	<b>Fed. R. Civ. P. 12</b>
	)	
THE GEO GROUP, INC., et al.,	)	
	)	
Defendants.	)	

---

Defendants The GEO Group, Inc., George Snyder, David Farmer, David Blevins, and Carolyn Wolfe move the Court for an order dismissing Plaintiffs' Complaint pursuant to Rules 12(b)(2), 12(b)(5), and 12(b)(6) of the Federal Rules of Civil Procedure. The grounds in support of this Motion are set forth in the accompanying brief.

This the 11th day of January, 2010.

**WOMBLE CARLYLE SANDRIDGE & RICE**  
*A Professional Limited Liability Company*

By: /s/ Robert T. Numbers II  
JAMES R. MORGAN, JR.  
(N.C. State Bar No. 12496)  
ROBERT T. NUMBERS, II  
(N.C. State Bar No. 34134)  
One West Fourth Street  
Winston-Salem, North Carolina 27101  
Phone: (336) 721-3600  
Fax: (336) 721-3660  
E-mail: jmorgan@wcsr.com  
E-mail: rnumbers@wcsr.com  
*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

This is to certify that on January 11, 2010, a copy of the foregoing **GEO DEFENDANTS' MOTION TO DISMISS** was filed with the Clerk of the Court using the CM/ECF system.

It is further certified that on January 11, 2010, a copy of the foregoing **GEO DEFENDANTS' MOTION TO DISMISS** was served upon the following non-CM/ECF participant(s) by placing said copy in a postage paid envelope and addressed to the person(s) hereinafter named, at the place(s) and address(es) stated below, which is/are the last known address(es), and by depositing said envelope and its contents in the United States Mail at Winston-Salem, North Carolina.

Lascelles Somie  
39637-083  
Rivers Correctional Institution  
P. O. Box 630  
Winton, NC 27986  
*Pro Se Plaintiff*

Oral Malcolm  
39711-083  
Rivers Correctional Institution  
P. O. Box 630  
Winton, NC 27986  
*Pro Se Plaintiff*

**WOMBLE CARLYLE SANDRIDGE & RICE**  
***A Professional Limited Liability Company***

By: /s/ Robert T. Numbers, II  
ROBERT T. NUMBERS, II  
(N.C. State Bar No. 34134)  
WOMBLE CARLYLE SANDRIDGE & RICE  
*A Professional Limited Liability Company*  
One West Fourth Street  
Winston-Salem, NC 27101  
Phone: (336) 721-3600  
Fax: (336) 721-3660  
E-mail: [rnumbers@wcsr.com](mailto:rnumbers@wcsr.com)  
*Attorneys for Defendants*